IN THE HIGH COURT OF JUDICATURE OF BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.307 OF 2006
WITH
CIVIL APPLICATION NO.392 OF 2006

Thimmaya K.Shetty. ..Appellant.
V/s.
The Municipal Corpn. of Gr.Mumbai..Respondent.

Mr.Atul G.Damle for appellant.
Mrs.Geeta Joglekar for BMC.

CORAM: A.M.KHANWILKAR,J
DATE : JUNE 16, 2006.

P.C. :

1. It is not in dispute that the suit structure has been removed from the site as interim protection was not continued by this court. Counsel for the appellant submits that in any case, the respondent Corporation is liable to provide alternate location to the appellant where stall can be erected.

2. Counsel for the respondent Corporation submits that the appellant may make necessary application to the Assistant Commissioner ‘A’ Ward, who in turn will decide the said application expeditiously, in any case within 10 days from the presentation thereof and allot the appropriate site, if the appellant is eligible for said allocation on such terms and conditions as may be permissible by law.

. Appeal and civil application disposed of

accordingly.